

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

<b>IN RE ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION</b>	<b>Master File No. 2:12-MD-02327 MDL 2327</b>  <b>JOSEPH R. GOODWIN U.S. DISTRICT JUDGE</b>
<b>THIS DOCUMENT RELATES TO:</b>  <b>ALL WAVE II TVT AND TVT-O CASES</b>	

**PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION FOR LEAVE TO EXTEND  
TIME TO FILE RESPONSE IN OPPOSITION TO PLAINTIFFS' MOTION TO  
EXCLUDE DR. LARRY T. SIRLS' TVT/TVT-O GENERAL OPINIONS**

1. Plaintiffs filed their Motion to Exclude the General Opinion Testimony of Larry T. Sirls, II, M.D. on July 29, 2016, in accordance with an agreed-upon extension of the Wave 2 briefing deadlines for Dr. Sirls. [*See* Doc. 2479 in Cause No. 2:12-md-2327]; *see* Ex. A.
2. Plaintiffs recognize the briefing burden in the Wave cases was substantial, and that it would have been easy for either side to inadvertently miss a filing deadline, especially given that several extensions were negotiated.
3. The associate originally contacted by Defense counsel about this motion indicated that Plaintiffs may oppose the motion, but that she would check with the trial team. Defendants' Motion for Leave to Extend Time was filed before this was completed.

4. As such, Plaintiffs are not opposed to a short extension of time for Defendants to file their Opposition to Plaintiffs' Motion to Exclude Dr. Sirs' TVT/TVT-O General Opinions for the Wave 2 cases. [*See* Doc. 2865 in Cause No. 2:12-md-2327].

Date: October 13, 2016

Respectfully submitted,

By: /s/ Fidelma L. Fitzpatrick  
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Counsel for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that on October 13, 2016, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

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